

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER D'ARCY, Individually and on Behalf of All
Others Similarly Situated,

Plaintiff,

v.

YEHUDA SHMIDMAN, KAREN MURRAY, GARY
KLEIN, ANDREW COOPER, CHAD WAGENHEIM,
PETER LOPS, DAVID CONN, DANIEL HANBRIDGE,
LORRAINE DISANTO, WILLIAM SWEEDLER,
AARON HOLLANDER, AL GOSSETT, STEWART
LEONARD, JR., COHNREZNICK LLP, STEPHEN
WYSS, STEPHEN JACKSON, and ROBERT HILBERT,

Defendants.

Case No. 1:21-cv-07296-JPO

**ORAL ARGUMENT
REQUESTED**

NOTICE OF MOTION TO DISMISS AMENDED CLASS ACTION COMPLAINT

PLEASE TAKE NOTICE that Defendants CohnReznick LLP, Stephen Wyss, Stephen Jackson, and Robert Hilbert (collectively, the “CohnReznick Defendants”) hereby move for an Order dismissing with prejudice the Amended Class Action Complaint (ECF No. 44) under Federal Rules of Civil Procedure 12(b)(6) and 9(b), the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4(b), and 28 U.S.C. § 1658(b)(2). In support of their motion, the CohnReznick Defendants submit the accompanying memorandum of law, the Declaration of James L. Bernard, and the exhibits annexed thereto.

Dated: New York, NY
March 23, 2023

Respectfully submitted,

/s/ James L. Bernard

James L. Bernard
David M. Cheifetz
Patrick N. Petrocelli
STROOCK & STROOCK & LAVAN LLP
180 Maiden Lane

New York, NY 10038
Tel.: (212) 806-5400
Fax: (212) 806-6006
jbernard@stroock.com
dcheifetz@stroock.com
ppetrocelli@stroock.com

*Counsel for Defendants CohnReznick LLP,
Stephen Wyss, Stephen Jackson, and
Robert Hilbert*

CERTIFICATE OF SERVICE

I hereby certify that on March 23, 2023, a true and correct copy of the foregoing was filed with the Court's electronic case filing (ECF) system, which caused an electronic copy of this document to be served on all counsel of record in this matter who have registered for ECF service.

/s/ James L. Bernard

James L. Bernard